

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6182

BILL NUMBER: SB 30

NOTE PREPARED: Feb 17, 2011

BILL AMENDED: Feb 15, 2011

SUBJECT: Jurisdiction of State University and College Police.

FIRST AUTHOR: Sen. Head

FIRST SPONSOR: Rep. Truitt

BILL STATUS: As Passed Senate

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides that certain police officers employed by a public or private college or university may exercise the officers' police power in any part of Indiana if the board of trustees of the college or university: (1) adopts a resolution specifically describing the territorial jurisdiction of a police officer employed by the college or university; and (2) sends notice to the Superintendent of State Police and the Sheriff (or in the case of a consolidated city, the Chief of Police) of the county in which the institution is primarily located.

The bill requires a police officer employed by a public or private college or university that exercises the officer's police powers outside of the county in which the institution is primarily located to notify the Sheriff (or in a consolidated city, the Chief of Police) as soon as practicable.

Effective Date: July 1, 2011.

Explanation of State Expenditures:

Explanation of State Revenues: This bill could increase the number of arrests and prosecutions for criminal cases above and beyond the current levels. Any added prosecutions that are filed in Indiana's court system could increase the potential state and local revenue.

If new criminal cases are filed, and a guilty verdict is entered, revenue to both the Common School Fund and the state General Fund could increase.

If a criminal case is filed in a circuit, superior, or county court, 70% of the \$120 criminal costs fee that is

assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Other fees that could be collected and deposited in the state General Fund include: (1) an \$18 judicial salaries fee; (2) a \$3 public defense administration fee; (4) a \$5 court administration fee; (5) a \$1 judicial insurance adjustment fee; and (6) a \$1 DNA sample processing fee. In addition, a \$7 automated record keeping fee would be deposited into the State User Fee Fund.

Besides these fees, the person may also be charged a fine that would be deposited into the state Common School Fund. The maximum criminal fine for all felony classes is \$10,000, while the fines for misdemeanors are \$5,000 for a Class A misdemeanor, \$1,000 for a Class B misdemeanor, and \$500 for a Class C misdemeanor.

Explanation of Local Expenditures: If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. The average cost per day is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$120 criminal costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of the criminal costs fee. In addition, several additional fees may be collected at the discretion of the judge and depending upon the particular type of criminal case

Courts could also charge a document storage fee (\$2) that would be deposited in the clerk's record perpetuation fund.

State Agencies Affected: State colleges and universities; Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Chuck Mayfield, 317-232-4825.